

From: Israel KI. Kgamanyane [REDACTED]
Subject: Fwd: LMN Comments: Minutes of our call: your response to Mr McBride's allegations related to IPID stat manipulation
Date: September 6, 2019 at 12:46 PM
To: Daneel Knoetze daneel.knoetze@gmail.com

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From: [REDACTED] >
Sent: Friday, September 6, 2019 12:32:34 PM
To: Israel KI. Kgamanyane <[REDACTED]>;
[REDACTED] >
Subject: LMN Comments: Minutes of our call: your response to Mr McBride's allegations related to IPID stat manipulation

From: Daneel Knoetze <daneel.knoetze@gmail.com>
Sent: Wednesday, September 4, 2019 12:37:23 PM
To: Israel KI. Kgamanyane <[REDACTED]>
Subject: Minutes of our call: your response to Mr McBride's allegations related to IPID stat manipulation

Dear Mr Kgamanyane,

Our telephone conversation a moment ago, starting at about 10:40 am on Wednesday 4 September 2019 refers. I called you on your cellphone ([REDACTED]) from the Community Media Trust offices in Cape Town ([REDACTED]).

I took notes, but these were done in shorthand. I did not record the call.

You agreed to receive and vet the minutes at your official email address [REDACTED]. I have tried my best to be as accurate as possible in minuting the conversation and your response. Please correct me if anything I minuted below is inaccurate in your view. I would also suggest that I put questions in writing to you soon, and that I give you the opportunity to formalise your response in your own words and writing. Your thoughts?

In the meanwhile, herewith, the minutes from our phone call:

I introduced myself as a film maker and a journalist. I said that have been researching allegations of premature case completion and closure at the IPID, based on reports from current and former IPID staffers.

Note additional to minutes: These relate to: 2012 (Maharaj memo to the Public Protector), 2014 (Ethics Climate Survey, site visit reports from GP, KZN, NC), 2016 (Maharaj memos to the Public Protector), [REDACTED], 2019 (McBride testimony at the Zondo Commission of Inquiry).

I confirmed to you that I have interviewed IPID's national head of investigations, Matthews Sesoko, who reported that IPID's Integrity Unit is investigating these claims internally. The scope of this investigation relates to the period of McBride's suspension and your time as acting ED.

I alerted you that Mr McBride implicated you as the overseer of this practice in his Zondo Commission testimony, in your capacity as acting ED during McBride's suspension.

Note additional to minutes: I should point out, in this email, that Maharaj's 2016 Memo to the Public Protector also named you.

I asked your response to these allegations from McBride.

You responded to my questions thus:

- You have requested, from the Zondo Commission, an opportunity to respond to Mr McBride's allegations and you are preparing to submit a statement to the Zondo Commission.
- You were in charge for only 18 months, as acting ED. You were not in charge of running the provinces, that duty fell on Provincial Heads.
- You only reported the statistics contained in the annual reports 2014/15 and 2015/16 to Parliament in Cape Town.
- The statistics you reported to Parliament demonstrated improved performance at the IPID under your tenure as ED, and this checks out with your track record as the Provincial Head of the Free State where you regularly reported better performance than other provinces. You mentioned specifically your last three years at the Free State.
- The provinces send monthly statistical reports to head office, and these reports **are consolidated into the Annual Report at the end of the financial year which then gets independently audited by the Auditor General (who are external assurers) and Internal Auditors (for internal controls) to ensure the completeness, usefulness, correctness and integrity of reported information.**
- If any statistical manipulation happened, it would have happened at the provincial level. Provincial Heads run the provinces, and if they mislead head office, they would therefore have to be held responsible / answer to that. I should interview them.
- If Mr McBride alleges that you mislead parliament, all he has to do is go the nearest police station and open a case against you. To your knowledge, he has not done that.
- In your opinion, Mr McBride has not provided any concrete documentary evidence to substantiate his insinuation that the manipulation of stats at the provincial offices was done at your behest.

Your feedback would be appreciated.

Best,
Daneel

From: Israel Kl. Kganyane [REDACTED]
Subject: Re: Media query: premature case closure / completion at the IPID
Date: September 9, 2019 at 8:50 PM
To: Daneel Knoetze daneel.knoetze@gmail.com

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All the the financial year performances contained in Annual Reports from the inception of ICD/IPID (1997) to date were subjected to auditing independently by the Auditor General of South Africa (who are external assurers) and Internal Auditors (for internal controls) to ensure the completeness, usefulness, correctness and integrity of reported information.

With regard to the alleged complaints made to the public protector is it not advisable to wait for the outcome of their investigations before making any assumptions.

With regard to the baseless allegations made by McBride at State Capture Commission which were not supported by any substantiated fact or concrete evidence, i filed my responding affidavit and applied to cross examine him or give evidence to that effect.

Please note that I don't have time for these things. If there are any as substantiated allegation against me by your sources, the easiest thing is to go to the nearest police station and lay a charge not to the Media or Researchers.

Please note that this will be the last time i entertain these utter nonsense as I have serious matters to deal with.

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From: Daneel Knoetze <daneel.knoetze@gmail.com>
Sent: Monday, September 9, 2019 6:24:51 PM
To: Israel Kl. Kganyane <[REDACTED]>
Subject: Media query: premature case closure / completion at the IPID

Dear Mr Kganyane,

Thank you for amending the minutes of our phone conversation last week. Your input is invaluable to bringing much needed balance to my reporting.

As you are aware, I am researching various allegations of premature case closure and completion, for the purposes of generating performance statistics, at the IPID. Many of these reports do not relate to you, or to the period of your tenure as the ED. But, some do.

Below I outline some of these allegations / reports, insofar as they make claims against yourself. This background and contextual section is followed by a series of questions.

I am working on a written component of this reporting for co-publication with Daily Maverick and GroundUp News.

I would request that, should you want to respond to these questions in writing, that you endeavour to do so by noon, Friday 13 September 2019. Failing that, I will state your position as per your amended minutes of our telephone conversation. I am always available to respond on points of clarification. Please do not hesitate to email me should any such arise.

Best,
Daneel Knoetze
Viewfinder: Director

Viewfinder Media query to Mr Israel Kganyane related to allegations of premature case closure and completion at the IPID
9 September 2019

Background and context

There have been numerous reports (between 2012 and 2017) from current and former IPID staffers, from head office and some provinces, related to the alleged closure and completion of cases without proper investigation. Many of these reports imply that this is done to inflate performance statistics.

Some of these reports / individuals have made allegations against you:

- In his statement to the Zondo Commission of Inquiry (February 2019), Mr McBride wrote: “Upon my return to office, I discovered that there were allegations [of] the manipulation of cases to artificially inflate the performance of the IPID in my absence. Kgamanyane even went to Parliament and reported that performance was much better in the absence of the suspended and transferred (sic), however, this was a blatant lie which was told to make himself look good.”
- In his memorandum to the Public Protector (2016) Mr Maharaj requested an investigation into, amongst other things: “Whistleblower report of cases completed without proper investigation at Mpumalanga Province, and failure of... Acting Executive Director, Mr. KI Kgamanyane to take action and to resolve the matter within a reasonable period of time.”
- Maharaj also included closure statistics from various provinces. He wrote: “The matter above relating to cases closed as unsubstantiated during the 2013-2014 period at the Free State provincial office directly involves the current Acting-Executive Director, Mr KI Kgamanyane who was the Provincial Head at the IPID Free State Office at the time. During the 2013-2014 period the Free State IPID office closed a total of 780 cases. 91.79% or 716 cases, were closed as unsubstantiated (559), withdrawn (116) and declined (41), - the majority allegedly without proper investigation. Of the 969 cases recorded as ‘Total Workload’ in the Free State for the period 2013-2014, 930 cases were completed. A percentage completion rate of 96%. The number of assault cases completed was recorded as 761 – many without proper investigation.”

Other facts for likely inclusion in my reporting:

- On October 15, 2015 you reported ([PMG](#)) to Parliament’s PCP that “*IPID intended to improve its performance* through the achievement of its strategic goals, strategic objectives and planned targets.”
- In the 2015/16 IPID Annual Report (p. 9) you reported improved

performance:

- In 2011/12 IPID’s Free State office, under your tenure as Provincial Head, reported 100% percent completion of workload.
- In 2015 Maharaj submitted a memo to your office complaining about the

- In 2015, Maharaj submitted a memo to your office complaining about the “suppression” of a whistleblower report from Mpumalanga and the request that he delete the “emerging risks” section from his report.
- On 29 September 2016, shortly after his memo to the PP, your office sent a letter to Maharaj informing him of IPID’s intention to transfer him to “Strategy and Performance”.
- McBride alleged in his statement to the Zondo Commission of Inquiry (Version 7, 11 February 2019, paragraph 15) that your use of suspension and transfers of some IPID officials was malicious and politically motivated: “During the eighteen (18) months of my suspension, I heard about Kgamanyane wreaking havoc in the IPID by initially suspending and transferring at least eight (8) senior managers for no other reason than that they worked with me or that they deposed affidavits about information which was within their knowledge as IPID employees.”
- Sesoko said that “... this phenomena we only became aware of it in the period in which he (Mr Kgamanyane) was acting and the allegations was that the instruction came from him that people must push to complete investigations so that the performance would look good, you know. It was therefore important for us, when you receive those allegations, you don’t only isolate only these two provinces. Because you don’t know if it was happening nationally because allegation is that the instruction came from him. So, that is why we said every province must be looked at so that we have empirical evidence whether it was happening in all provinces, if so, who were the people responsible, if it was not happening then it was not happening.”

Questions:

- Please can you explain the particulars of the “Turn Around strategy, through the establishment of a backlog task team and recruitment drive” that was implemented under your tenure as acting ED in the 2015/16 financial year?
- How specifically did “these initiatives” result in “improvements in the number or percentage of investigations concluded” in the 2015/16 financial year?
- Do you stand by the “decision ready” performance statistics reported in the 2015/16 annual report? Do you believe they were accurate?
- What is your response to the allegation from McBride that you “lied” to Parliament when you reported that IPID’s performance improved under your tenure as acting executive director?
- Would you like to respond to any of the other allegations Mr McBride leveled against you at the Zondo Commission of Inquiry? Will you testify- and/or submit a statement responding to McBride’s testimony in so far as it leveled allegations against you, the Zondo Commission?
- Do you believe there is any credence to the general impression, rooted in numerous reports dating back to 2012 and from various provinces and head office, that performance statistical manipulation was commonplace, through the premature closure and completion of cases, at the IPID?

What is your response to Maharaj’s allegation contained in a memo to the

- What is your response to Maharaj's allegation, contained in a memo to the Public Protector, that you failed to act timeously on whistleblower reports from Mpumalanga.
- What is your response to Maharaj quoting and questioning, in his 2016 memo to the Public Protector, the integrity of case closure and completion statistics from the Free State, under your tenure, for the 2013/14 reporting period?
- Was the 100% completion rate reported by the Free State's ICD office during the 2011/12 reporting period, under your tenure, legitimate? How did the Free State office manage to achieve this performance in spite of reported capacity constraints at the directorate at the time in the years prior?
- Is there anything not covered by these questions that you would like to add?